

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOHN PAUL THOMAS,

Petitioner,

v.

No. CV 09-1132 JH/WDS

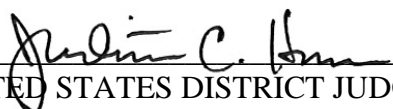
JAMES JANECKA,

Respondent.

MEMORANDUM OPINION AND FINAL ORDER OF DISMISSAL

This matter is before the Court on Petitioner's Petition For A Writ Of Habeas Corpus Pursuant To 28 U.S.C. Section 2241. Petitioner paid the \$5.00 habeas corpus filing fee. He challenges a prison disciplinary proceeding that allegedly resulted in forfeiture of good time credit against his sentence. This is proper subject matter for a § 2241 petition. *See Gamble v. Calbone*, 375 F.3d 1021, 1023 (10th Cir. 2004) (state sentence); *Warren v. Ashcroft*, 119 F. App'x 239, 240 (10th Cir. 2004) (federal sentence). On the other hand, the record indicates that Petitioner was released from custody after he filed his petition. Because Petitioner does not challenge his conviction, there is no issue of post-imprisonment collateral consequences, *see Holley v. Andraschko*, 80 F. App'x 614, 615 (10th Cir. 2003), and, therefore, Petitioner's claims are moot, *see id.* The Court will dismiss the petition.

IT IS THEREFORE ORDERED that Petitioner's Petition For A Writ Of Habeas Corpus Pursuant To 28 U.S.C. Section 2241 is DISMISSED with prejudice as moot, pending motions are DENIED as moot, and this proceeding is DISMISSED.


UNITED STATES DISTRICT JUDGE